

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ENT INT'L REALTY CORP., H.P.S.O.N.Y., INC.  
N.Y.A.H., INC., R.C.F.H.P., INC. On behalf of  
themselves and others similarly situated,

Plaintiffs,

-against-

ANDREW CUOMO, in his personal and  
official capacity as Governor of the State  
of New York, BILL De BLASIO in his  
personal and official capacity as Mayor of  
New York City, and THE NEW YORK  
CITY DEPARTMENT OF FINANCE.

Defendants.  
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**NOTICE OF MOTION  
TO DISMISS**

Case 1:20-CV-4277 (PKC)

**PLEASE TAKE NOTICE** that upon the accompanying Declaration of Assistant Corporation Counsel Edan Burkett, dated August 7, 2020, and the Memorandum of Law in Opposition to Plaintiffs' Motion for a Preliminary Injunction and in Support of Motion to Dismiss, dated August 7, 2020, Defendants Bill de Blasio and the New York City Department of Finance (collectively, "City"), by their attorney, James E. Johnson, Corporation Counsel of the City of New York, will move this Court, before the Honorable P. Kevin Castel, at the United States Courthouse for the Southern District of New York, located at 500 Pearl Street, New York, New York 10007, on a date and time designated by the Court, for an Order pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure dismissing the claims pled in Plaintiffs' Complaint (Dkt. No. 1) against the City, on the grounds that this Court lacks subject matter jurisdiction to enjoin the collection of real estate taxes pursuant to 28 U.S.C. § 1341 (i.e.,

